



4000-01-U

DEPARTMENT OF EDUCATION

List of Correspondence

AGENCY: Office of Special Education and Rehabilitative Services; Department of Education.

ACTION: List of Correspondence from April 1, 2011, through June 30, 2011.

SUMMARY: The Secretary is publishing the following list pursuant to section 607(f) of the Individuals with Disabilities Education Act (IDEA). Under section 607(f) of the IDEA, the Secretary is required, on a quarterly basis, to publish in the Federal Register a list of correspondence from the U.S. Department of Education (Department) received by individuals during the previous quarter that describes the interpretations of the Department of the IDEA or the regulations that implement the IDEA. This list and the letters or other Departmental documents described in this list, with personally identifiable information redacted, as appropriate, can be found at:

<http://www2.ed.gov/policy/speced/guid/idea/index.html>.

FOR FURTHER INFORMATION CONTACT: Jessica Spataro or Mary Louise Dirrigl. Telephone: (202) 245-7468.

If you use a telecommunications device for the deaf (TDD), you can call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain a copy of this list and the letters or other Departmental documents described in this list in an accessible format (e.g., braille, large print, audiotape, or compact disc) by contacting Jessica Spataro or Mary Louise Dirrigl at (202) 245-7468.

SUPPLEMENTARY INFORMATION:

The following list identifies correspondence from the Department issued from April 1, 2011, through June 30, 2011. The list includes those letters that contain interpretations of the requirements of the IDEA and its implementing regulations, and may also include letters and other documents that the Department believes will assist the public in understanding the requirements of the law and its regulations. The date of and topic addressed by each letter are identified, and summary information is also provided, as appropriate. To protect the privacy interests of the individual or individuals involved, personally identifiable information has been redacted, as appropriate.

PART B--ASSISTANCE FOR EDUCATION OF ALL CHILDREN WITH
DISABILITIES

SECTION 612--STATE ELIGIBILITY

TOPIC ADDRESSED: CHILDREN IN PRIVATE SCHOOLS.

o Letter dated May 26, 2011, to East End Special Education Parents President Kathleen Chamberlain, responding

to an inquiry as to whether a child with a disability should be considered publicly-placed or parentally-placed at a private school under Part B of the IDEA and the effect of a settlement agreement.

SECTION 613--LOCAL EDUCATIONAL AGENCY ELIGIBILITY

TOPIC ADDRESSED: USE OF FEDERAL FUNDS.

- o Letter dated June 16, 2011, to National Association of State Directors of Special Education Executive Director Bill East, regarding the local educational agency maintenance-of-effort requirement in Part B of the IDEA.

SECTION 614--EVALUATIONS, ELIGIBILITY DETERMINATIONS, INDIVIDUALIZED EDUCATION PROGRAMS, AND EDUCATIONAL PLACEMENTS

TOPIC ADDRESSED: INDIVIDUALIZED EDUCATION PROGRAM TEAM.

- o Letter dated April 25, 2011, to Center for Education Advocacy, Inc. Director Lilly Rangel-Diaz, regarding the participation of related services providers, including those invited by parents, in Individualized Education Program (IEP) Team meetings and resolution sessions.

PART C--INFANTS AND TODDLERS WITH DISABILITIES

SECTION 637--STATE APPLICATION AND ASSURANCES

TOPIC ADDRESSED: NONSUPPLANTING.

- o Letter dated May 4, 2011, to Kansas Department of Health and Environment Secretary Robert Moser and Chief Fiscal Officer Pat Kuester, and letter dated May 5, 2011, to

Nevada Department of Health and Human Services Director Michael Willden, regarding the nonsupplanting/maintenance-of-effort requirement in Part C of the IDEA. The requirement addressed in these letters is now codified in 34 CFR §303.225(b) without substantive change.

Electronic Access to This Document: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department. (Catalog of Federal Domestic Assistance Number 84.027, Assistance to States for Education of Children with Disabilities)

Dated: November 28, 2011

Alexa Posny,
Assistant Secretary
for Special Education and
Rehabilitative Services.

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